

REMARKS

Attached hereto is a marked-up version of the changes made to the specification by the above amendment. The attached page is captioned "Version with markings to show changes made."

Original claims 1-20 have been cancelled and replaced with claims 21-40 which have been tailored for reasons related to business considerations and commercial embodiments of the invention. Support for claims 21-40 is provided by the claims, specification and drawing as originally filed. No new matter has been introduced, and entry of the amendment is respectfully requested.

Applicants respectfully request examination of the claims on their merits and welcome the Examiner to contact the undersigned for assistance with the prosecution of this application.

In the unlikely event that the Transmittal Letter is separated from this document and/or the Patent Office determines that a further extension and/or other relief or fees are required, Applicants hereby petition for any required relief including extensions of time, payment of claim fees, and the like, and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 273012011300. However, the Assistant Commissioner is not authorized to charge the cost of the Issue Fee to the Deposit Account.

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Respectfully submitted,

By: 

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Version with markings to show changes made.**IN THE CLAIMS:**

Please cancel claims 1-20.

Please enter the following new claims 21-40:

--21. A composition comprising microaggregates, said microaggregates comprising saturated and unsaturated phospholipids and one or more hydro-monobenzo-porphyrin photosensitizer

wherein said unsaturated phospholipid is not egg phosphatidylglycerol.

22. The composition of claim 21 wherein said microaggregates comprise micelles.

23. The composition of claim 21 wherein said one or more photosensitizer is BPD-MA, A-EA6, B-EA6 or a combination thereof.

24. The composition of claim 21 wherein one or more of said saturated and unsaturated phospholipids comprise a negatively charged headgroup.

25. The composition of claim 24 wherein said phospholipids comprise DOPG and DMPC.

26. The composition of claim 25 wherein the ratio of DOPG:DMPC is 40:60.

27. The composition of claim 21 wherein said microaggregates further comprise at least one antioxidant.

28. The composition of claim 27 wherein said at least one antioxidant is BHT and/or AP.

29. The composition of claim 21 wherein the ratio of phospholipids:photosensitizer is 8:1.

30. The composition of claim 21 wherein said phospholipids are capable of forming a lipid bilayer and do not comprise egg phospholipid.

31. The composition of claim 23 wherein said photosensitizer is A-EA6 or B-EA6.

32. A method for making a composition of microaggregates comprising producing a mixture of an organic solvent, a hydrophobic agent and saturated and unsaturated phospholipids to form an "intermediate complex"; removing said solvent to produce a "presome" material, hydrating said "presome" material with an aqueous solvent, and processing said hydrated material to produce microaggregates, wherein said unsaturated phospholipid is not egg phosphatidylglycerol.

33. The method of claim 32 wherein said one or more hydrophobic agent is one or more photosensitizer but does not comprise Verteporfin.

34. The method of claim 33 wherein said one or more photosensitizers is A-EA6, B-EA6 or a combination thereof.

35. The method of claim 32 wherein said mixture further comprises an antioxidant.

36. The method of claim 32 wherein said hydrating and processing steps occur at a temperature of less than about 30°C.

37. The method of claim 32 wherein

said mixture is produced by supplying at a constant speed solution of an organic solvent, a hydrophobic agent, and a mixture of saturated and unsaturated phospholipids to a tubular heater heated externally,

said organic solvent is evaporated in the heater to prepare a mixture substantially of solids and over heated organic solvent vapor,

said mixture substantially of solids and over heated organic solvent vapor is introduced at a high speed of over 0.1 times the sound of speed into the vacuum chamber of not more than 300 mm Hg to volatize the organic solvent instantaneously, dry the solids, and produce lipid powder, and/or

the lipid powder is dispersed into a low salt aqueous solvent at a temperature of less than about 30°C.

38. The method of claim 32 wherein said processing step is by high energy manipulation.

39. The method of claim 38 wherein said high energy manipulation is selected from the group consisting of microfluidization, sonication, high speed shearing, extrusion, sonication and homogenization.

40. A composition comprising microaggregates, said microaggregates comprising saturated and unsaturated phospholipids, at least one of which comprises a negatively charged head group, and

one or more photosensitizer wherein said unsaturated phospholipid is not egg phosphatidylglycerol.--